

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

In re:)	Case #13-40416
)	Chapter 13
MICHELLE RAE GUSTIN,)	
SSN/ITIN: xxx xx 7502,)	
)	
and)	PLAN AS CONFIRMED
)	
MATTHEW JAMES GUSTIN,)	
SSN/ITIN: xxx xx 5310,)	
)	
Debtors.)	

1. PAYMENTS BY DEBTORS TO TRUSTEE: Debtors have paid the trustee \$1,125.00 in pre-confirmation payments. Debtors will pay the trustee \$435.00 per month beginning November 21, 2013, for a period of 24 months, and then will pay \$640.00 per month for 36 months, for total payments of \$34,605.00 plus all tax refunds for tax years 2013 through 2017. Debtors will make the first plan payment on November 21, 2013, and the last payment on October 21, 2018.

2. PAYMENT BY TRUSTEE TO CREDITORS: After deducting his fee, the trustee will make the following payments, beginning the first month following confirmation of this plan.

a. PRIORITY CLAIMS:

<u>Creditor</u>	<u>Claim</u>	<u>Int.</u>	<u>Pmt.</u>	<u>Mos.</u>	<u>Total</u>
<u>Gerry & Kulm Ask, Prof. LLC -</u>	\$2,400	0	\$1,000 upon confirmation		
			\$100	1-14	<u>\$1,400</u>
	(est.)				\$2,400
<u>Angela Gustin/Child Support Arrears</u>					
<u>District Court Trust Tenth Judicial District -</u>					
	\$14,718	0	\$200	1-24	\$4,800
			\$292.19	24-60	<u>10,518.50</u>
	TOTAL				\$15,318.50

b. SECURED CLAIMS:

NATIONAL AMERICAN TITLE LOANS – This creditor has a lien on debtors' 1997 Ford Expedition in the amount of approximately \$1,000.00. The trustee will make monthly payments of \$43.88 (including interest at the rate of 5% per annum) to this creditor for the first 24 months of the plan, at which time it will be paid in full.

Upon final payment, this creditor shall satisfy all liens of record.

HOME FEDERAL BANK – This creditor has a mortgage on debtors' homestead in the amount of \$102,000.00. Debtors are current in their payments to this creditor and will continue to make payments directly to this creditor until the mortgage is paid in full.

Upon final payment, this creditor shall satisfy all liens of record.

TOYOTA FINANCIAL SERVICES – This creditor has a lien on debtors' 2008 Toyota Camry in the amount of approximately \$12,500. Debtors are current in their payments to this creditor and will continue to make payments directly to it until the loan is paid in full.

Upon final payment, this creditor shall satisfy all liens of record.

c. UNSECURED/UNDERSECURED CLAIMS:

After making the payments as set forth above, the trustee will distribute the balance of the payments made by the debtors to the holders of timely filed and allowed unsecured claims. Any unsecured creditor who receives appropriate notice of the case but fails to timely file a proof of claim will be discharged to the extent set forth in 11 USC 1328(a) when debtors complete all plan payments.

3. OTHER PROVISIONS: Attached are Exhibits A and B, debtors' current income and expense projections, and Exhibit C, current status of the means test.

4. DISPOSABLE INCOME: All of the debtors' disposable income to be received in the 60 months of the plan beginning on November 21, 2013, will be applied to make payments under this plan.

5. ATTACHMENTS: Attached hereto and incorporated herein by reference is a liquidation analysis that demonstrates that creditors will receive as much or more than they would if debtors' non-exempt assets were liquidated in a Chapter 7 bankruptcy.

Dated this 7th day of November, 2013.

/s/ Michelle Rae Gustin
Michelle Rae Gustin

/s/ Matthew James Gustin
Matthew James Gustin

GERRY & KULM ASK, PROF. LLC

By /s/Clair R. Gerry
Clair R. Gerry, Attorney for Debtors
PO Box 966, 507 W. 10th Street
Sioux Falls, SD 57101-0966
(605)336-6400 FAX (605)336-6842
gerry@sgsllc.com

LIQUIDATION ANALYSIS

<u>Asset</u>	<u>Value</u>	<u>Secured Claim</u>	<u>Exemption</u>	<u>Amt Over Exemption or Security</u>
<u>Real Property:</u>				
Homestead	\$ 109,000	\$ 102,000	\$ 7,000	-0-
<u>Personal Property:</u>				
Cash & Checking	\$ 515.00		\$ 515.00	-0-
Household goods	1,020.00		1,020.00	-0-
Books, pictures	120.00		120.00	-0-
Wearing apparel	600.00		600.00	-0-
Life Insurance	11,568.00		11,568.00	-0-
401K	61,339.00		61,339.00	-0-
Wages earned	1,900.00		1,900.00	-0-
1997 Ford Expedition	463.00	1,000		-0-
2008 Toyota Camry	9,500.00	12,500		-0-
Other personal prpty.	<u>175.00</u>		<u>175.00</u>	<u>-0-</u>
TOTAL	\$ 87,200.00	\$ 13,500	\$ 77,237.00	-0-

IN RE **Gustin, Michelle Rae & Gustin, Matthew James**

Debtor(s)

Case No. **4:13-bk-40416**

(If known)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status Married	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S): Daughter Son	AGE(S): 4 8
EMPLOYMENT: DEBTOR		SPOUSE
Occupation Accountant	Name of Employer Great Western Bank	Avera McKennan
How long employed 4 years	Address of Employer 200 East 10th Street Sioux Falls, SD 57104	1020 South Cliff Avenue Sioux Falls, SD 57104-5324

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Current monthly gross wages, salary, and commissions (prorate if not paid monthly)
2. Estimated monthly overtime

DEBTOR	SPOUSE
\$ 7,898.40	\$ 818.45
\$	\$
\$ 7,898.40	\$ 818.45

3. SUBTOTAL**4. LESS PAYROLL DEDUCTIONS**

- a. Payroll taxes and Social Security
b. Insurance
c. Union dues
d. Other (specify) **See Schedule Attached**

\$ 1,036.14	\$ 82.96
\$	\$
\$	\$
\$ 1,650.57	\$ 15.95
\$	\$

5. SUBTOTAL OF PAYROLL DEDUCTIONS**6. TOTAL NET MONTHLY TAKE HOME PAY**

\$ 2,686.71	\$ 98.91
\$ 5,211.69	\$ 719.54

7. Regular income from operation of business or profession or farm (attach detailed statement)
8. Income from real property
9. Interest and dividends
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above
11. Social Security or other government assistance (Specify)
12. Pension or retirement income
13. Other monthly income (Specify)

\$	\$
\$	\$
\$	\$
\$	\$
\$	\$
\$	\$
\$	\$
\$	\$
\$	\$
\$	\$

14. SUBTOTAL OF LINES 7 THROUGH 13**15. AVERAGE MONTHLY INCOME** (Add amounts shown on lines 6 and 14)

\$	\$
\$ 5,211.69	\$ 719.54

16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15; if there is only one debtor repeat total reported on line 15)

\$ 5,931.23

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:
None

Exhibit A

IN RE Gustin, Michelle Rae & Gustin, Matthew James

Debtor(s)

Case No. 4:13-bk-40416**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**
Continuation Sheet - Page 1 of 1

	DEBTOR	SPOUSE
Other Payroll Deductions:		
Health, Dental & Vision Ins		
401K	506.00	
401K Loan Pmt.	236.51	
United Way	233.05	
Medical & Dependent Flex	50.01	
Life Ins.	625.00	
		15.95

IN RE Gustin, Michelle Rae & Gustin, Matthew JamesCase No. 4:13-bk-40416

Debtor(s)

(If known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made biweekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>920.00</u>
a. Are real estate taxes included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
b. Is property insurance included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
2. Utilities:		
a. Electricity and heating fuel	\$	<u>300.00</u>
b. Water and sewer	\$	<u>65.00</u>
c. Telephone	\$	<u>230.00</u>
d. Other <u>Garbage Svc</u>	\$	<u>25.00</u>
<u>Cable & Internet (\$75 Each)</u>	\$	<u>150.00</u>
3. Home maintenance (repairs and upkeep)	\$	<u>200.00</u>
4. Food	\$	<u>875.00</u>
5. Clothing	\$	<u>275.00</u>
6. Laundry and dry cleaning	\$	<u>125.00</u>
7. Medical and dental expenses	\$	<u>281.00</u>
8. Transportation (not including car payments)	\$	<u>420.00</u>
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>170.00</u>
10. Charitable contributions	\$	<u>50.00</u>
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	
b. Life	\$	<u>240.00</u>
c. Health	\$	
d. Auto	\$	<u>105.00</u>
e. Other	\$	
12. Taxes (not deducted from wages or included in home mortgage payments)	\$	
(Specify)	\$	
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)	\$	
a. Auto	\$	
b. Other <u>Expedition Pmt</u>	\$	<u>300.00</u>
<u>Child Support Arrears</u>	\$	<u>200.00</u>
14. Alimony, maintenance, and support paid to others	\$	<u>260.31</u>
15. Payments for support of additional dependents not living at your home	\$	<u>300.00</u>
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	
17. Other <u>Daycare</u>	\$	
<u>Misc. - Haircare, Gifts, License, Etc.</u>	\$	<u>233.00</u>
<u>School Lunches & Activities (Averaged Over Year)</u>	\$	<u>300.00</u>
	\$	<u>130.00</u>

18. **AVERAGE MONTHLY EXPENSES** (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.

\$ 6,154.31

19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of this document:

None

20. STATEMENT OF MONTHLY NET INCOME

- a. Average monthly income from Line 15 of Schedule I
- b. Average monthly expenses from Line 18 above
- c. Monthly net income (a. minus b.)

\$ 5,931.23

\$ 6,154.31

\$ -223.08

Exhibit B

B22C (Official Form 22C) (Chapter 13) (04/13)

In re: Gustin, Michelle Rae & Gustin, Matthew James

Debtor(s)

Case Number: 4:13-bk-40416

(If known)

According to the calculations required by this statement:

☐ The applicable commitment period is 3 years.☒ The applicable commitment period is 5 years.☒ Disposable income is determined under § 1325(b)(3).☐ Disposable income is not determined under § 1325(b)(3).

(Check the boxes as directed in Lines 17 and 23 of this statement.)

**CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME
AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE INCOME**

In addition to Schedules I and J, this statement must be completed by every individual Chapter 13 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

Part I. REPORT OF INCOME

1	Marital/filing status. Check the box that applies and complete the balance of this part of this statement as directed. a. <input type="checkbox"/> Unmarried. Complete only Column A ("Debtor's Income") for Lines 2-10. b. <input checked="" type="checkbox"/> Married. Complete both Column A ("Debtor's Income") and Column B ("Spouse's Income") for Lines 2-10. All figures must reflect average monthly income received from all sources, derived during the six calendar months prior to filing the bankruptcy case, ending on the last day of the month before the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.	Column A Debtor's Income	Column B Spouse's Income									
2	Gross wages, salary, tips, bonuses, overtime, commissions.	\$ 7,898.40	\$ 314.79									
3	Income from the operation of a business, profession, or farm. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If you operate more than one business, profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. Do not include any part of the business expenses entered on Line b as a deduction in Part IV. <table border="1" data-bbox="186 1102 1161 1249"> <tr> <td>a.</td> <td>Gross receipts</td> <td>\$</td> </tr> <tr> <td>b.</td> <td>Ordinary and necessary operating expenses</td> <td>\$</td> </tr> <tr> <td>c.</td> <td>Business income</td> <td>Subtract Line b from Line a</td> </tr> </table>	a.	Gross receipts	\$	b.	Ordinary and necessary operating expenses	\$	c.	Business income	Subtract Line b from Line a	\$	\$
a.	Gross receipts	\$										
b.	Ordinary and necessary operating expenses	\$										
c.	Business income	Subtract Line b from Line a										
4	Rent and other real property income. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero. Do not include any part of the operating expenses entered on Line b as a deduction in Part IV. <table border="1" data-bbox="186 1396 1161 1543"> <tr> <td>a.</td> <td>Gross receipts</td> <td>\$</td> </tr> <tr> <td>b.</td> <td>Ordinary and necessary operating expenses</td> <td>\$</td> </tr> <tr> <td>c.</td> <td>Rent and other real property income</td> <td>Subtract Line b from Line a</td> </tr> </table>	a.	Gross receipts	\$	b.	Ordinary and necessary operating expenses	\$	c.	Rent and other real property income	Subtract Line b from Line a	\$	\$
a.	Gross receipts	\$										
b.	Ordinary and necessary operating expenses	\$										
c.	Rent and other real property income	Subtract Line b from Line a										
5	Interest, dividends, and royalties.	\$	\$									
6	Pension and retirement income.	\$	\$									
7	Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose. Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse. Each regular payment should be reported in only one column; if a payment is listed in Column A, do not report that payment in Column B.	\$	\$									

Exhibit C

B22C (Official Form 22C) (Chapter 13) (04/13)

8	Unemployment compensation. Enter the amount in the appropriate column(s) of Line 8. However, if you contend that unemployment compensation received by you or your spouse was a benefit under the Social Security Act, do not list the amount of such compensation in Column A or B, but instead state the amount in the space below: <table border="1"> <tr> <td>Unemployment compensation claimed to be a benefit under the Social Security Act</td> <td>Debtor \$ _____</td> <td>Spouse \$ _____</td> </tr> </table>	Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$ _____	Spouse \$ _____	\$	\$			
Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$ _____	Spouse \$ _____							
9	Income from all other sources. Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. Do not include alimony or separate maintenance payments paid by your spouse, but include all other payments of alimony or separate maintenance. Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism. <table border="1"> <tr> <td>a.</td> <td></td> <td>\$</td> </tr> <tr> <td>b.</td> <td></td> <td>\$</td> </tr> </table>	a.		\$	b.		\$	\$	\$
a.		\$							
b.		\$							
10	Subtotal. Add Lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 through 9 in Column B. Enter the total(s).	\$	\$						
11	Total. If Column B has been completed, add Line 10, Column A to Line 10, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 10, Column A.	\$	\$						
		\$	\$						

Part II. CALCULATION OF § 1325(b)(4) COMMITMENT PERIOD

12	Enter the amount from Line 11.	\$	8,213.19									
13	Marital Adjustment. If you are married, but are not filing jointly with your spouse, AND if you contend that calculation of the commitment period under § 1325(b)(4) does not require inclusion of the income of your spouse, enter on Line 13 the amount of the income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of you or your dependents and specify, in the lines below, the basis for excluding this income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page. If the conditions for entering this adjustment do not apply, enter zero. <table border="1"> <tr> <td>a.</td> <td></td> <td>\$</td> </tr> <tr> <td>b.</td> <td></td> <td>\$</td> </tr> <tr> <td>c.</td> <td></td> <td>\$</td> </tr> </table>	a.		\$	b.		\$	c.		\$	\$	0.00
a.		\$										
b.		\$										
c.		\$										
14	Subtract Line 13 from Line 12 and enter the result.	\$	8,213.19									
15	Annualized current monthly income for § 1325(b)(4). Multiply the amount from Line 14 by the number 12 and enter the result.	\$	98,558.28									
16	Applicable median family income. Enter the median family income for the applicable state and household size. (This information is available by family size at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) a. Enter debtor's state of residence: <u>South Dakota</u> b. Enter debtor's household size: <u>4</u>	\$	73,960.00									
17	Application of § 1325(b)(4). Check the applicable box and proceed as directed. <input type="checkbox"/> The amount on Line 15 is less than the amount on Line 16. Check the box for "The applicable commitment period is 3 years" at the top of page 1 of this statement and continue with this statement. <input checked="" type="checkbox"/> The amount on Line 15 is not less than the amount on Line 16. Check the box for "The applicable commitment period is 5 years" at the top of page 1 of this statement and continue with this statement.											

Part III. APPLICATION OF § 1325(b)(3) FOR DETERMINING DISPOSABLE INCOME

B22C (Official Form 22C) (Chapter 13) (04/13)

18	Enter the amount from Line 11.	\$ 8,213.19																								
19	<p>Marital adjustment. If you are married, but are not filing jointly with your spouse, enter on Line 19 the total of any income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. Specify in the lines below the basis for excluding the Column B income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page. If the conditions for entering this adjustment do not apply, enter zero.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">a.</td> <td style="width: 65%;"></td> <td style="width: 30%; text-align: right;">\$</td> </tr> <tr> <td>b.</td> <td></td> <td style="text-align: right;">\$</td> </tr> <tr> <td>c.</td> <td></td> <td style="text-align: right;">\$</td> </tr> </table> <p>Total and enter on Line 19.</p>	a.		\$	b.		\$	c.		\$	\$ 0.00															
a.		\$																								
b.		\$																								
c.		\$																								
20	Current monthly income for § 1325(b)(3). Subtract Line 19 from Line 18 and enter the result.	\$ 8,213.19																								
21	Annualized current monthly income for § 1325(b)(3). Multiply the amount from Line 20 by the number 12 and enter the result.	\$ 98,558.28																								
22	Applicable median family income. Enter the amount from Line 16.	\$ 73,960.00																								
23	<p>Application of § 1325(b)(3). Check the applicable box and proceed as directed.</p> <p><input checked="" type="checkbox"/> The amount on Line 21 is more than the amount on Line 22. Check the box for "Disposable income is determined under § 1325(b)(3)" at the top of page 1 of this statement and complete the remaining parts of this statement.</p> <p><input type="checkbox"/> The amount on Line 21 is not more than the amount on Line 22. Check the box for "Disposable income is not determined under § 1325(b)(3)" at the top of page 1 of this statement and complete Part VII of this statement. Do not complete Parts IV, V, or VI.</p>																									
Part IV. CALCULATION OF DEDUCTIONS ALLOWED UNDER § 707(b)(2)																										
Subpart A: Deductions under Standards of the Internal Revenue Service (IRS)																										
24A	<p>National Standards: food, apparel and services, housekeeping supplies, personal care, and miscellaneous. Enter in Line 24A the "Total" amount from IRS National Standards for Allowable Living Expenses for the applicable number of persons. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) The applicable number of persons is the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.</p>	\$ 1,465.00																								
24B	<p>National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Enter in Line b1 the applicable number of persons who are under 65 years of age, and enter in Line b2 the applicable number of persons who are 65 years of age or older. (The applicable number of persons in each age category is the number in that category that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.) Multiply Line a1 by Line b1 to obtain a total amount for persons under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for persons 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 24B.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">Persons under 65 years of age</th> <th colspan="3">Persons 65 years of age or older</th> </tr> </thead> <tbody> <tr> <td style="width: 5%;">a1.</td> <td style="width: 65%;">Allowance per person</td> <td style="width: 30%; text-align: right;">60.00</td> <td style="width: 5%;">a2.</td> <td style="width: 65%;">Allowance per person</td> <td style="width: 30%; text-align: right;">144.00</td> </tr> <tr> <td>b1.</td> <td>Number of persons</td> <td style="text-align: right;">4</td> <td>b2.</td> <td>Number of persons</td> <td style="text-align: right;">0</td> </tr> <tr> <td>c1.</td> <td>Subtotal</td> <td style="text-align: right;">240.00</td> <td>c2.</td> <td>Subtotal</td> <td style="text-align: right;">0.00</td> </tr> </tbody> </table>	Persons under 65 years of age			Persons 65 years of age or older			a1.	Allowance per person	60.00	a2.	Allowance per person	144.00	b1.	Number of persons	4	b2.	Number of persons	0	c1.	Subtotal	240.00	c2.	Subtotal	0.00	\$ 240.00
Persons under 65 years of age			Persons 65 years of age or older																							
a1.	Allowance per person	60.00	a2.	Allowance per person	144.00																					
b1.	Number of persons	4	b2.	Number of persons	0																					
c1.	Subtotal	240.00	c2.	Subtotal	0.00																					

B22C (Official Form 22C) (Chapter 13) (04/13)

25A	Local Standards: housing and utilities; non-mortgage expenses. Enter the amount of the IRS Housing and Utilities Standards; non-mortgage expenses for the applicable county and family size. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court). The applicable family size consists of the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.	\$ 523.00									
25B	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and family size (this information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court) (The applicable family size consists of the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 47; subtract Line b from Line a and enter the result in Line 25B. Do not enter an amount less than zero. <table border="1" data-bbox="203 514 1339 693"> <tr> <td data-bbox="203 514 251 567">a.</td> <td data-bbox="267 514 982 567">IRS Housing and Utilities Standards; mortgage/rental expense</td> <td data-bbox="998 514 1339 567">\$ 1,215.00</td> </tr> <tr> <td data-bbox="203 567 251 640">b.</td> <td data-bbox="267 567 982 640">Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47</td> <td data-bbox="998 567 1339 640">\$ 920.00</td> </tr> <tr> <td data-bbox="203 640 251 693">c.</td> <td data-bbox="267 640 982 693">Net mortgage/rental expense</td> <td data-bbox="998 640 1339 693">Subtract Line b from Line a</td> </tr> </table>	a.	IRS Housing and Utilities Standards; mortgage/rental expense	\$ 1,215.00	b.	Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47	\$ 920.00	c.	Net mortgage/rental expense	Subtract Line b from Line a	\$ 295.00
a.	IRS Housing and Utilities Standards; mortgage/rental expense	\$ 1,215.00									
b.	Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47	\$ 920.00									
c.	Net mortgage/rental expense	Subtract Line b from Line a									
26	Local Standards: housing and utilities; adjustment. If you contend that the process set out in Lines 25A and 25B does not accurately compute the allowance to which you are entitled under the IRS Housing and Utilities Standards, enter any additional amount to which you contend you are entitled, and state the basis for your contention in the space below:	\$									
27A	Local Standards: transportation; vehicle operation/public transportation expense. You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation. Check the number of vehicles for which you pay the operating expenses or for which the operating expenses are included as a contribution to your household expenses in Line 7. <input type="checkbox"/> 0 <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 or more. If you checked 0, enter on Line 27A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 27A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (These amounts are available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)	\$ 424.00									
27B	Local Standards: transportation; additional public transportation expense. If you pay the operating expenses for a vehicle and also use public transportation, and you contend that you are entitled to an additional deduction for your public transportation expenses, enter on Line 27B the "Public Transportation" amount from IRS Local Standards: Transportation. (This amount is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)	\$									

B22C (Official Form 22C) (Chapter 13) (04/13)

28	<p>Local Standards: transportation ownership/lease expense; Vehicle 1. Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.)</p> <p><input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 or more.</p> <p>Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 47; subtract Line b from Line a and enter the result in Line 28. Do not enter an amount less than zero.</p> <table border="1"> <tr> <td>a.</td> <td>IRS Transportation Standards, Ownership Costs</td> <td>\$</td> <td>517.00</td> </tr> <tr> <td>b.</td> <td>Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 47</td> <td>\$</td> <td>210.00</td> </tr> <tr> <td>c.</td> <td>Net ownership/lease expense for Vehicle 1</td> <td colspan="2">Subtract Line b from Line a</td> </tr> </table>	a.	IRS Transportation Standards, Ownership Costs	\$	517.00	b.	Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 47	\$	210.00	c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a		\$	307.00
a.	IRS Transportation Standards, Ownership Costs	\$	517.00												
b.	Average Monthly Payment for any debts secured by Vehicle 1, as stated in Line 47	\$	210.00												
c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a													
29	<p>Local Standards: transportation ownership/lease expense; Vehicle 2. Complete this Line only if you checked the "2 or more" Box in Line 28.</p> <p>Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 47; subtract Line b from Line a and enter the result in Line 29. Do not enter an amount less than zero.</p> <table border="1"> <tr> <td>a.</td> <td>IRS Transportation Standards, Ownership Costs</td> <td>\$</td> <td>517.00</td> </tr> <tr> <td>b.</td> <td>Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47</td> <td>\$</td> <td>23.65</td> </tr> <tr> <td>c.</td> <td>Net ownership/lease expense for Vehicle 2</td> <td colspan="2">Subtract Line b from Line a</td> </tr> </table>	a.	IRS Transportation Standards, Ownership Costs	\$	517.00	b.	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47	\$	23.65	c.	Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a		\$	493.35
a.	IRS Transportation Standards, Ownership Costs	\$	517.00												
b.	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47	\$	23.65												
c.	Net ownership/lease expense for Vehicle 2	Subtract Line b from Line a													
30	<p>Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state, and local taxes, other than real estate and sales taxes, such as income taxes, self-employment taxes, social-security taxes, and Medicare taxes. Do not include real estate or sales taxes.</p>	\$	1,068.05												
31	<p>Other Necessary Expenses: involuntary deductions for employment. Enter the total average monthly deductions that are required for your employment, such as mandatory retirement contributions, union dues, and uniform costs. Do not include discretionary amounts, such as voluntary 401(k) contributions.</p>	\$													
32	<p>Other Necessary Expenses: life insurance. Enter total average monthly premiums that you actually pay for term life insurance for yourself. Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.</p>	\$	118.37												
33	<p>Other Necessary Expenses: court-ordered payments. Enter the total monthly amount that you are required to pay pursuant to the order of a court or administrative agency, such as spousal or child support payments. Do not include payments on past due obligations included in Line 49.</p>	\$	300.00												
34	<p>Other Necessary Expenses: education for employment or for a physically or mentally challenged child. Enter the total average monthly amount that you actually expend for education that is a condition of employment and for education that is required for a physically or mentally challenged dependent child for whom no public education providing similar services is available.</p>	\$													
35	<p>Other Necessary Expenses: childcare. Enter the total average monthly amount that you actually expend on childcare—such as baby-sitting, day care, nursery and preschool. Do not include other educational payments.</p>	\$	233.00												
36	<p>Other Necessary Expenses: health care. Enter the total average monthly amount that you actually expend on health care that is required for the health and welfare of yourself or your dependents, that is not reimbursed by insurance or paid by a health savings account, and that is in excess of the amount entered in Line 24B. Do not include payments for health insurance or health savings accounts listed in Line 39.</p>	\$													
37	<p>Other Necessary Expenses: telecommunication services. Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone service—such as pagers, call waiting, caller id, special long distance, or internet service—to the extent necessary for your health and welfare or that of your dependents. Do not include any amount previously deducted.</p>	\$	75.00												

B22C (Official Form 22C) (Chapter 13) (04/13)

38	Total Expenses Allowed under IRS Standards. Enter the total of Lines 24 through 37.		\$ 5,541.77									
<p align="center">Subpart B: Additional Expense Deductions under § 707(b) Note: Do not include any expenses that you have listed in Lines 24-37</p>												
39	<p>Health Insurance, Disability Insurance, and Health Savings Account Expenses. List the monthly expenses in the categories set out in lines a-c below that are reasonably necessary for yourself, your spouse, or your dependents.</p> <table border="1"> <tr> <td>a.</td> <td>Health Insurance</td> <td>\$ 506.00</td> </tr> <tr> <td>b.</td> <td>Disability Insurance</td> <td>\$</td> </tr> <tr> <td>c.</td> <td>Health Savings Account</td> <td>\$ 637.82</td> </tr> </table> <p>Total and enter on Line 39</p> <p>If you do not actually expend this total amount, state your actual total average monthly expenditures in the space below:</p> <p>\$ _____</p>		a.	Health Insurance	\$ 506.00	b.	Disability Insurance	\$	c.	Health Savings Account	\$ 637.82	\$ 1,143.82
a.	Health Insurance	\$ 506.00										
b.	Disability Insurance	\$										
c.	Health Savings Account	\$ 637.82										
40	<p>Continued contributions to the care of household or family members. Enter the total average actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses. Do not include payments listed in Line 34.</p>		\$									
41	<p>Protection against family violence. Enter the total average reasonably necessary monthly expenses that you actually incur to maintain the safety of your family under the Family Violence Prevention and Services Act or other applicable federal law. The nature of these expenses is required to be kept confidential by the court.</p>		\$									
42	<p>Home energy costs. Enter the total average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities, that you actually expend for home energy costs. You must provide your case trustee with documentation of your actual expenses, and you must demonstrate that the additional amount claimed is reasonable and necessary.</p>		\$									
43	<p>Education expenses for dependent children under 18. Enter the total average monthly expenses that you actually incur, not to exceed \$156.25 per child, for attendance at a private or public elementary or secondary school by your dependent children less than 18 years of age. You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in the IRS Standards.</p>		\$ 156.25									
44	<p>Additional food and clothing expense. Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National Standards, not to exceed 5% of those combined allowances. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) You must demonstrate that the additional amount claimed is reasonable and necessary.</p>		\$									
45	<p>Charitable contributions. Enter the amount reasonably necessary for you to expend each month on charitable contributions in the form of cash or financial instruments to a charitable organization as defined in 26 U.S.C. § 170(c)(1)-(2). Do not include any amount in excess of 15% of your gross monthly income.</p>		\$ 50.00									
46	Total Additional Expense Deductions under § 707(b). Enter the total of Lines 39 through 45.		\$ 1,350.07									

B22C (Official Form 22C) (Chapter 13) (04/13)

Subpart C: Deductions for Debt Payment

47

Future payments on secured claims. For each of your debts that is secured by an interest in property that you own, list the name of the creditor, identify the property securing the debt, state the Average Monthly Payment, and check whether the payment includes taxes or insurance. The Average Monthly Payment is the total of all amounts scheduled as contractually due to each Secured Creditor in the 60 months following the filing of the bankruptcy case, divided by 60. If necessary, list additional entries on a separate page. Enter the total of the Average Monthly Payments on Line 47.

	Name of Creditor	Property Securing the Debt	Average Monthly Payment	Does payment include taxes or insurance?
a.	Home Federal Bank	Residence	\$ 920.00	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
b.	Toyota Financial Svcs.	Automobile (1)	\$ 210.00	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
c.	National American Title Loa	Automobile (2)	\$ 23.65	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
			Total: Add lines a, b and c.	

\$ 1,153.65

48

Other payments on secured claims. If any of debts listed in Line 47 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 47, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page.

	Name of Creditor	Property Securing the Debt	1/60th of the Cure Amount
a.			\$
b.			\$
c.			\$
			Total: Add lines a, b and c.

\$

49

Payments on prepetition priority claims. Enter the total amount, divided by 60, of all priority claims, such as priority tax, child support and alimony claims, for which you were liable at the time of your bankruptcy filing. **Do not include current obligations, such as those set out in Line 33.**

\$ 260.31

50

Chapter 13 administrative expenses. Multiply the amount in Line a by the amount in Line b, and enter the resulting administrative expense.

a.	Projected average monthly Chapter 13 plan payment.	\$
b.	Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)	X
c.	Average monthly administrative expense of Chapter 13 case	Total: Multiply Lines a and b

\$

51 Total Deductions for Debt Payment. Enter the total of Lines 47 through 50. \$ 1,413.96

Subpart D: Total Deductions from Income

52 Total of all deductions from income. Enter the total of Lines 38, 46, and 51. \$ 8,305.80

B22C (Official Form 22C) (Chapter 13) (04/13)

Part V. DETERMINATION OF DISPOSABLE INCOME UNDER § 1325(b)(2)

53	Total current monthly income. Enter the amount from Line 20.	\$	8,213.19															
54	Support income. Enter the monthly average of any child support payments, foster care payments, or disability payments for a dependent child, reported in Part I, that you received in accordance with applicable nonbankruptcy law, to the extent reasonably necessary to be expended for such child.	\$																
55	Qualified retirement deductions. Enter the monthly total of (a) all amounts withheld by your employer from wages as contributions for qualified retirement plans, as specified in § 541(b)(7) and (b) all required repayments of loans from retirement plans, as specified in § 362(b)(19).	\$	381.72															
56	Total of all deductions allowed under § 707(b)(2). Enter the amount from Line 52.	\$	8,305.80															
57	<p>Deduction for special circumstances. If there are special circumstances that justify additional expenses for which there is no reasonable alternative, describe the special circumstances and the resulting expenses in lines a-c below. If necessary, list additional entries on a separate page. Total the expenses and enter the total in Line 57. You must provide your case trustee with documentation of these expenses and you must provide a detailed explanation of the special circumstances that make such expenses necessary and reasonable.</p> <table border="1"> <thead> <tr> <th></th> <th>Nature of special circumstances</th> <th>Amount of expense</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td></td> <td>\$</td> </tr> <tr> <td>b.</td> <td></td> <td>\$</td> </tr> <tr> <td>c.</td> <td></td> <td>\$</td> </tr> <tr> <td colspan="2">Total: Add Lines a, b, and c</td> <td>\$</td> </tr> </tbody> </table>				Nature of special circumstances	Amount of expense	a.		\$	b.		\$	c.		\$	Total: Add Lines a, b, and c		\$
	Nature of special circumstances	Amount of expense																
a.		\$																
b.		\$																
c.		\$																
Total: Add Lines a, b, and c		\$																
58	Total adjustments to determine disposable income. Add the amounts on Lines 54, 55, 56, and 57 and enter the result.	\$	8,687.52															
59	Monthly Disposable Income Under § 1325(b)(2). Subtract Line 58 from Line 53 and enter the result.	\$	-474.33															

Part VI. ADDITIONAL EXPENSE CLAIMS

60	<p>Other Expenses. List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses.</p> <table border="1"> <thead> <tr> <th></th> <th>Expense Description</th> <th>Monthly Amount</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td></td> <td>\$</td> </tr> <tr> <td>b.</td> <td></td> <td>\$</td> </tr> <tr> <td>c.</td> <td></td> <td>\$</td> </tr> <tr> <td colspan="2">Total: Add Lines a, b and c</td> <td>\$</td> </tr> </tbody> </table>			Expense Description	Monthly Amount	a.		\$	b.		\$	c.		\$	Total: Add Lines a, b and c		\$
	Expense Description	Monthly Amount															
a.		\$															
b.		\$															
c.		\$															
Total: Add Lines a, b and c		\$															

Part VII. VERIFICATION

61	<p>I declare under penalty of perjury that the information provided in this statement is true and correct. <i>(If this a joint case, both debtors must sign.)</i></p>	
	Date: <u>October 8, 2013</u>	Signature: <u>/s/ Michelle Rae Gustin</u> (Debtor)
	Date: <u>October 8, 2013</u>	Signature: <u>/s/ Matthew James Gustin</u> (Joint Debtor, if any)